

8097. Misbranding of Madame Dean Antiseptic Suppositories. In the Matter of 2 Boxes of Madame Dean Antiseptic Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11531. I. S. No. 8544-r. S. No. C-1606.)

On November 26, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Madame Dean Antiseptic Suppositories," remaining unsold in the original unbroken packages at Grand Rapids, Mich., alleging that the article had been shipped on or about May 7, 1919, by Martin Rudy, doing business under the name of The United Medical Co., Lancaster, Pa., and transported from the State of Pennsylvania into the State of Michigan, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the suppositories consisted essentially of a bismuth salt, alum, boric acid, tannin, and a small amount of plant drug in a cacao butter base.

Misbranding of the article was alleged in the libel in that certain statements appearing on the label on the package containing, and in the circular accompanying the article, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented the article to be effective for the relief of vaginitis, vulvitis, gonorrhœal inflammation, leucorrhœal discharge, inflammation, congestion, and ulceration of the vagina, and leucorrhœa or whites, whereas, in truth and in fact, it was not effective.

On January 16, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8098. Adulteration and misbranding of olive oil. U. S. * * * v. Accursio Dimino. Plea of guilty. Fine, \$50. (F. & D. No. 11977. I. S. No. 13829-r.)

On January 28, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Accursio Dimino, New York, N. Y., alleging shipment by said defendant, on or about January 31, 1919, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Pennsylvania, of a quantity of olive oil which was adulterated and misbranded. The article was labeled in part, "1 Gallon Net Qualità Superiore" (map of Italy and Sicily, cut of girl with Italian flag, and map of Tripolitania), "Olio Puro Garantito Sotto Qualsiasi Analisi Chimica, Guaranteed Under the Pure Food and Drugs Act, June 30, 1906 Garantito Sotto La Legge Del 30 Giugno 1906."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of cottonseed oil and corn oil, and that the cans were short volume.

Adulteration of the article was alleged in the information for the reason that cottonseed oil and corn oil had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements "Qualità Superiore," "Olio Puro," "Garantito Sotto Qualsiasi Analisi Chimica,"